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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION
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12 SECURITIES AND EXCHANGE COMMISSION,
 13 Plaintiff,
 14 v.
 15 THOMAS A. SKOULIS and PETER M. FRANKL,
 16 Defendants.
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Case No. C-06-2239 JF (PVT)

**STIPULATION AND PROPOSED ORDER
 TO CONTINUE PRETRIAL DATES**

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 19 Plaintiff Securities and Exchange Commission ("Commission") and defendants Thomas A.
 20 Skoulis and Peter M. Frankl (collectively, "the parties"), by and through their respective counsel,
 21 hereby agree and stipulate as follows:

22 WHEREAS:

- 23 1. A settlement conference was held by Magistrate Judge Trumbull with the parties
 24 on February 9, 2007.
- 25 2. Counsel for the Commission has now received written offers to settle the action
 26 from each of the defendants, which counsel has informed the defendants (through their
 27 respective counsel) the Commission's staff will recommend the Commission accept.
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3. In order to permit sufficient time for the Commission to consider these offers, without imposing further costs on the defendants, the parties agree that a suspension of all currently scheduled pretrial dates, and a continuation of the currently scheduled date for the Court's next Case Management Conference for approximately 60 days, is appropriate.

STIPULATION:

4. The parties therefore stipulate and agree that the Case Management Conference currently scheduled for October 12, 2007 at 10:30 a.m., should be continued to December 14, 2007 at 10:30 a.m., or as soon thereafter as the Court's schedule will permit.

5. The parties further stipulate and agree that all pretrial dates currently scheduled in this matter (including the final dates to complete fact and expert discovery, and the last date to provide expert disclosures pursuant to Fed. Rule Civ. Proc. 26(a)(2)) should be suspended. The parties agree to propose a new schedule to the Court for consideration at the next scheduled Case Management Conference, if necessary.

IT IS SO STIPULATED:

DATED: September 21, 2007

Respectfully Submitted,

/s/ _____

Susan F. LaMarca

SECURITIES AND EXCHANGE COMMISSION

/s/ _____

Steven R. Manchester

MANCHESTER, WILLIAMS & SEIBERT

Attorneys for Defendant Peter A. Frankl

/s/ _____

Robert J. Herrington

SKADDEN, ARPS, SLATE,

MEAGHER & FLOM LLP

Attorneys for Defendant Thomas A. Skoulis

1 **IT IS SO ORDERED.**

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7 Dated: 9/27/07


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Jeremy Fogel
UNITED STATES DISTRICT JUDGE